REMARKS

Claims 1, 3, 4, 6-12 and 14-35 are now in this application. Claims 1, 3, 4, 6-12 and 14-34 are rejected. Claims 2, 5 and 13 are previously cancelled. Claims 1, 3, 4, 6-10 and 14-19 are amended herein to clarify the subject matter of the invention. New claim 35 is added.

The applicants and applicants' attorney appreciate the Examiner's granting of the telephonic interview conducted on November 9, 2004, and extend their thanks to the Examiner for his time and consideration. After reviewing the proposed amended claims prepared by applicants and faxed in advance of the interview, the Examiner indicated that he considered the amendments as successfully addressing the rejections presently of record. The claim amendments made herein correspond with those presented to the Examiner for the interview and as mentioned above, and are believed to successfully address and overcome the 35 U.S.C. § 112, second paragraph rejections and the obviousness rejections under 35 U.S.C. § 103(a) based upon the Ng, Pokemon and Hawkins et al. references. While applicants are of the understanding that agreement has already been reached regarding at least the present bases of rejection, the arguments presented by applicants' counsel during the interview in connection with the amendments are repeated below to comply with the requirement that the amendment be fully responsive to the issues raised in the Office Action.

Applicants herein traverse and respectfully request reconsideration of the rejection of the claims and objection cited in the above-referenced Office Action.

Claims 1, 3, 4, 6-12 and 14-34 are rejected as indefinite under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter of the invention as a result of informalities stated in the Office Action. The claims are amended to remove or correct the informalities noted in the Office Action. Therefore, reconsideration of the rejection of claims 1, 3, 4, 6-12 and 14-34 and their allowance are earnestly requested.

Claims 1, 3, 4, 6-12 and 14-34 are rejected as obvious over Ng (US 5,971,855 in view of Pokemon and Hawkins (US 6,009,458) under 35 U.S.C. §103(a). The applicants herein respectfully traverse this rejection.

It is respectfully submitted that a *prima facie* case of obviousness could not be established in rejection of claims 1, 3, 4, 6-12 and 14-34 in their amended form. "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on the applicant's

disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)." MPEP §706.02(j) "Contents of a 35 U.S.C. §103 Rejection".

It is admitted by the previous Examiner, who prepared the Office Action, that Ng fails to disclose transmitting training initial values of a successfully trained character to an external side for retraining. Pokemon is relied upon as allegedly providing disclosure allowing a user to view data of any character including an "initial training value." As discussed during the interview conducted on November 9, 2004, independent claims 1, 4 and 7 have been amended to clarify that the term "training initial value" in the present forms of claims 1, 4 and 7 specifically reflects "at least one aspect of basic abilities of the character." As such, the claim language as amended clearly distinguishes over the disclosure in Pokemon. In this regard, the "OT" in Pokemon, said by the previous Examiner to be an "initial training value," pertains merely to data representative of the identity of an original trainer (hence the initials OT, for Original Trainer).

Furthermore, as noted during the interview, nothing in any of the prior art cited suggests transfer of such data "such that a user on the external side can begin training the character with said training initial values and said given items," and since the data in Pokemon pertains only to a trainer and not a basic ability of the character itself, such data in Pokemon could not possibly be used as a basis of retraining.

Hawkins et al. is similarly deficient regarding disclosure of the above noted feature.

Therefore, it is applicants' position that one of ordinary skill in the art would receive the requisite teaching, or be motivated, to transmit data representing the training initial values set by a first player (i.e., as set before training thereby) to an external side, for example, another game terminal, for use of these same values as a starting point for retraining by a subsequent game player, after successful training by the preceding game player. The claimed invention provides a second (or subsequent) game player with the training values set initially before training is performed by a first (or preceding) game player, so that the second game player can start the retraining with the same values used by the first player who has already successfully trained the character, a feature absent from the cited references. Thus, the prior art references fail to teach or suggest all the claim limitations as properly required for establishing a *prima facie* case of obviousness.

Thus, it is respectfully submitted that the rejected claims are not obvious in